

NICHOLAS A. TRUTANICH
United States Attorney
District of Nevada
Nevada Bar Number 13644
KIMBERLY M. FRAYN
Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101
Tel: 702.388.6336 / Fax: 702.388.6418
kimberly.frayn@usdoj.gov

Representing the United States

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
CURTIS MCGOWN,
Defendant.

Case No. 2:19-CR-00028-APG-GWF

**Stipulation To Continue Supervised
Release Revocation Hearing
(Fourth Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A. Trutanich, United States Attorney, and Kimberly M. Frayn, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defendant and Nisha Brooks-Whittington, Assistant Federal Public Defender, counsel for CURTIS MCGOWN, ("McGown"), that the supervised release revocation hearing in the abovementioned case, which is currently scheduled for October 21, 2020, at 9:30 a.m., be continued and reset to a date and time convenient to this Court, but for a period of not less than thirty (30) days for the following reasons:

1 1. On or about January 28, 2020, McGown appeared on the petition seeking
2 to revoke his supervised release and was released on his own recognizance pending a the
3 supervised release revocation hearing, which is currently scheduled for October 21, 2020
4 at 9:30 a.m..

5 2. The defendant still has not resolved his state court case in connection with
6 the alleged new law violation. Also, undersigned government counsel will be on medical
7 leave from October 21, 2020, until at least October 28, 2020, and will be unavailable to
8 appear at the October 21st hearing. She requests the continuance for continuity of
9 counsel.

10 3. The defendant is not incarcerated and does not object to the continuance.

11 4. The parties agree to the continuance.

12 5. The additional time requested herein is not sought for purposes of delay,
13 but merely to allow the parties sufficient time within which adequately prepare for the
14 revocation hearing and to provide continuity of government counsel. Additionally, denial
15 of this request for continuance could result in a miscarriage of justice, and the ends of
16 justice served by granting this request, outweigh the best interest of the public and the
17 defendant in a speedy hearing.

18 6. This is the fourth stipulation to continue the hearing.
19

20 DATED this 9th day of October, 2020.

21 RENE L. VALLADARES
22 Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

23 /s/ *Nisha Brooks-Whittington*
24 By _____
25 NISHA BROOKS-WHITTINGTON
26 Assistant Federal Public Defender

/s/ *Kimberly M. Frayn*
By _____
KIMBERLY M. FRAYN
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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Findings Of Fact, Conclusions Of Law And Order

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. On or about January 28, 2020, McGown appeared on the petition seeking to revoke his supervised release and was released on his own recognizance pending a the supervised release revocation hearing, which is currently scheduled for October 21, 2020 at 9:30 a.m..

2. The defendant still has not resolved his state court case in connection with the alleged new law violation. Also, undersigned government counsel will be on medical leave from October 21, 2020, until at least October 28, 2020, and will be unavailable to appear at the October 21st hearing. She requests the continuance for continuity of counsel.

3. The defendant is not incarcerated and does not object to the continuance.

4. The parties agree to the continuance.

5. The additional time requested herein is not sought for purposes of delay, but merely to allow the parties sufficient time within which adequately prepare for the revocation hearing and to provide continuity of government counsel. Additionally, denial of this request for continuance could result in a miscarriage of justice, and the ends of justice served by granting this request, outweigh the best interest of the public and the defendant in a speedy hearing.

6. This is the fourth stipulation to continue the hearing.

ORDER

THEREFORE, IT IS HEREBY ORDERED that the preliminary hearing in the above-captioned matters, currently scheduled for October 21, 2020, be vacated and continued to a date and time convenient to this Court, that is on November 24, 2020, at the hour of 9:30 a.m. in LV courtroom 6C.

DATED this 12th day of October 2020.

HONORABLE ANDREW P. GORDON
UNITED STATES DISTRICT COURT JUDGE